

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**Docket Number (Optional)
IVGN 600.1 CIP (L)CERTIFICATE OF EFS WEB
TRANSMISSIONDate: November 30, 2009

I hereby certify that this correspondence and any other attachment noted on the automated Acknowledgment Receipt, is being transmitted from within the Pacific Time zone to the Commissioner for Patents via the EFS Web server on the date indicated above.

Suzanne Baycan

(Name)

(Signature) /Suzanne Baycan/

In re Application of
Martin C. M. Barnardo et al.Application Number
10/623,802Filed
July 22, 2003For
MethodGroup Art Unit
1641Examiner
COUNTS, GARY W

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the decision of the examiner, dated May 29, 2009, rejecting the following claims: 22-25, 34-37, 46 and 47

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 540.00 .

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore the fee amount shown above is reduced by one-half, and the resulting fee is: \$ _____ .
- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-3994 .
I have enclosed a duplicate copy of this sheet.
- ☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

- ☐ assignee of record of the entire interest.
- ☐ applicant.
- ☐ attorney or agent of record.
- ☒ attorney or agent under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34. 47,016November 30, 2009
Date/Shirley A. Recipon/
(Signature)Shirley A. Recipon, Reg. No. 47,016
(Typed or printed name and Reg. No.)

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.*

☒ * Total of 1 forms are submitted.